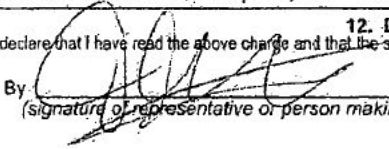


UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
**CHARGE AGAINST LABOR ORGANIZATION
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case 02-CC-166776	Date Filed 12/28/15

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name SHEETMETAL WORKERS' INTERNATIONAL ASSOCIATION, LOCAL UNION NO. 28 (hereinafter "Local 28")		b. Union Representative to contact ERIC MESLIN	
c. Address (Street, city, state, and ZIP code) 195 MINEOLA BOULEVARD MINEOLA, NY 11501		d. Tel. No. 516-742-9478	e. Cell No.
		f. Fax No. 516-742-3513	g. e-Mail EMESLIN@LOCAL28BA.COM
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) 4(ii)B of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Representative of Local 28, (b) (6), (b) (7)(C) approached Sovereign Mechanical Corp. (through (b) (6), (b) (7)(C)) on or about October 26, 2015 and requested that All-City Metal Inc. be terminated, among other things, as being a non-union shop. All-City supplied its credentials of Union affiliation and extensive work history to Sovereign by letter of October 27, 2015 and the matter appeared concluded. On October 28, 2015, after close of business hours, All-City was informed by (b) (6), (b) (7)(C) through email "I will need to give the 6th floor to Local 28. This client (Newmark Knight Frank) has agreement with Nyc (sic.) building trades. Local 28 agreed to let All-City finish the 5th fl without bringing a rat or picket line as long as we give them 6." Upon information this "agreement with building trades" is a sham. At no point until after Local 28 could not challenge All-City's union affiliation, credentials and extensive work history was this "agreement with building trades" asserted; further, and more importantly Newmark Knight Frank regularly employs other non-building and trades shops. The selective utilization of an alleged contractual agreement, threat of labor disharmony, and other actions to the detriment of All-City and its employees who are members of Local Union 295 constitutes unfair labor practices pursuant to the USC.			
3. Name of Employer Sovereign Mechanical Corp. 307 Seventh Avenue New York, NY 10001		4a. Tel. No. 212-352-8500	b. Cell No.
		c. Fax No.	d. e-Mail joel@sovereignmec.com
5. Location of plant involved (street, city, state and ZIP code) 125 Park Avenue New York, New York		6. Employer representative to contact Joe Tramontano NEW YORK, NY DEC 29 PM 4:11 NLRB REGION 2	
7. Type of establishment (factory, mine, wholesaler, etc.) Construction Site	8. Identify principal product or service Sheetmetal Ductwork	9. Number of workers employed varied	
10. Full name of party filing charge All-City Metal Inc.	11a. Tel. No. 718-472-5700	b. Cell No.	
	c. Fax No. 718-472-5813	d. e-Mail	
11. Address of party filing charge (street, city, state and ZIP code.) 54-35 46th Street, Maspeth, NY 11378			
12. DECLARATION I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief. By  John J. Macron, Attorney (signature of representative or person making charge) (Print/type name and title or office, if any) 305 Broadway, 7th Floor New York, NY 10007 Address (date) 12/28/2015		Tel. No. 212-323-7454 Cell No. 917-912-6983 Fax No. 212-323-7455 e-Mail john@macroncowhey.com	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 2
26 Federal Plaza Room 3614
New York, NY 10278-3699

Agency Website: www.nlrb.gov
Telephone: (212)264-0300
Fax: (212)264-2450



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December 29, 2015

Sheetmetal Workers International Association Local Union No. 28
Attn: Eric Meslin, Business Representative
195 Mineola Boulevard
Mineola, NY 11501-2524

Re: Sheetmetal Workers International
Association, Local Union No. 28 (hereafter
"Local 28") (Sovereign Mechanical Corp.)
Case No. 02-CC-166776

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Senior Field Attorney RUTH WEINREB whose telephone number is (212)264-0314. If this Board agent is not available, you may contact Supervisory Field Attorney KAREN M. NEWMAN whose telephone number is (212)264-0322.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Procedures: We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, reading "Karen P. Fernbach". The signature is written in a cursive, flowing style.

Karen P. Fernbach
Regional Director

Enclosure: Copy of Charge

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

**SHEETMETAL WORKERS INTERNATIONAL
ASSOCIATION, LOCAL UNION NO. 28
(HEREAFTER "LOCAL 28") (SOVEREIGN
MECHANICAL CORP.)**

Charged Party

and

ALL-CITY METAL, INC.

Charging Party

Case No. 02-CC-166776

AFFIDAVIT OF SERVICE OF CHARGE AGAINST LABOR ORGANIZATION

I, the undersigned employee of the National Labor Relations Board, state under oath that on December 29, 2015, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

Sheetmetal Workers International Association
Local Union No. 28
Attn: Eric Meslin, Business Representative
195 Mineola Boulevard
Mineola, NY 11501-2524

December 29, 2015

Date

Robin Brown-Dawkins, Designated Agent
of NLRB

Name

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 2
26 Federal Plaza Room 3614
New York, NY 10278-3699

Agency Website: www.nlr.gov
Telephone: (212)264-0300
Fax: (212)264-2450



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December 29, 2015

Sovereign Mechanical Corp.
Attn: Joe Tramontano
307 Seventh Avenue
New York, NY 10001

Re: Sheetmetal Workers International Association,
Local Union No. 28 (hereafter "Local 28")
(Sovereign Mechanical Corp.)
Case No. 02-CC-166776

Enclosed is a copy of a charge that has been filed in this case. Although this charge is not filed against you, it is necessary for us to obtain information from you to determine whether we have jurisdiction over this case. In the future we may also need to obtain evidence from you concerning the merits of the charge. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Senior Field Attorney RUTH WEINREB whose telephone number is (212)264-0314. If this Board agent is not available, you may contact Supervisory Field Attorney KAREN M. NEWMAN whose telephone number is (212)264-0322.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

If, during the investigation of this matter, the Board agent asks for evidence, I strongly urge you or your representative to promptly present all evidence relevant to the investigation. In this way, the case may be fully investigated more quickly.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at a hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Procedures: We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. On all your correspondence regarding the charge, please include the case name and number indicated above.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures*, offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



Karen P. Fernbach
Regional Director

Enclosures

1. Copy of Charge
2. Commerce Questionnaire

cc: Sovereign Mechanical Corp.
Attn: Joe Tramontano
125 Park Avenue
New York, NY 10017

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME Sheetmetal Workers International Association, Local Union No. 28 (hereafter "Local 28") (Sovereign Mechanical Corp.)

CASE NUMBER
02-CC-166776**1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)****2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS**5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates)

YES NO

A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. **Did you begin operations within the last 12 months?** If yes, specify date: _____**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 2
26 Federal Plaza Room 3614
New York, NY 10278-3699

Agency Website: www.nlrb.gov
Telephone: (212)264-0300
Fax: (212)264-2450



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December 29, 2015

All-City Metal, Inc.
54-35 46th Street
Maspeth, NY 11378

Re: Sheetmetal Workers International
Association, Local Union No. 28 (hereafter
"Local 28") (Sovereign Mechanical Corp.)
Case No. 02-CC-166776

The charge that you filed in this case on December 28, 2015 has been docketed as case number 02-CC-166776. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Senior Field Attorney RUTH WEINREB whose telephone number is (212)264-0314. If this Board agent is not available, you may contact Supervisory Field Attorney KAREN M. NEWMAN whose telephone number is (212)264-0322.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you

fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Procedures: We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website www.nlr.gov or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, reading "Karen P. Fernbach". The signature is written in a cursive, flowing style.

Karen P. Fernbach
Regional Director

cc: John J Macron
305 Broadway, 7th Floor
New York, NY 10007



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 02
26 Federal Plz Ste 3614
New York, NY 10278-3699

Agency Website: www.nlrb.gov
Telephone: (212)264-0300
Fax: (212)264-2450

February 29, 2016

John J. Macron, Esq.
305 Broadway, 7th Floor
New York, NY 10007

Re: Sheetmetal Workers International
Association, Local Union No. 28 (hereafter
"Local 28") (Sovereign Mechanical Corp.)
Case 02-CC-166776

Dear Mr. Macron:

We have carefully investigated and considered your charge that Sheetmetal Workers International Association Local Union No. 28 has violated the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have decided to dismiss your charge for the reasons discussed below.

You maintain that in October/November 2015, Local 28 unlawfully threatened to put up a picket line and rat and to pull trades men off the jobsite at 125 Park Ave. unless the General Contractor, JT Magen or subcontractor, Sovereign Mechanical Corp., removed All-City Metal, Inc. from the jobsite in order to give the sheetmetal work to a company that employed Local 28 members. Although the testimony by one witness tends to establish that a union representative allegedly asked a neutral employer representative if (b) (6) would like to see a picket or a rat at the job site, the evidence is insufficient to establish that it was uttered by a representative of Local 28. The facts established that there were numerous agents of the various trades at the job site when this statement was allegedly made and the testimony did not identify with sufficient particularity which union agent made this statement. Accordingly, the probative evidence is insufficient to establish that said statement relating to picketing is attributable to Local 28. Moreover, (b) (6), (b) (7)(C), (b) (7)(D) has provided testimony that (b) (6) did not make this statement. Further, with respect to the allegation that the threat was either to place a picket or a rat at the job site, the Board has found that the mere display of an inflatable rat without any other conduct is not threatening, coercive or restraining conduct and thus, not unlawful under 8(b)(4)(B). *Sheet Metal Workers Local 15(Brandon Regional Medical Center 356 NLRB No.162 (2011))*. Therefore, for the foregoing reasons, I am dismissing your charge.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at www.nlr.gov. However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at www.nlr.gov, click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

Appeal Due Date: The appeal is due on **March 14, 2016**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than **March 13, 2016**. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before March 14, 2016**. The request may be filed electronically through the **E-File Documents** link on our website www.nlr.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after **March 14, 2016, even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

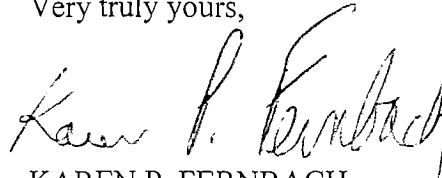
Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that

Sheetmetal Workers International
Association, Local Union No. 28 (hereafter
"Local 28") (Sovereign Mechanical Corp.)
Case 02-CC-166776

- 3 -

protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

A handwritten signature in black ink, appearing to read "Karen P. Fernbach". The signature is fluid and cursive, with the first name "Karen" being more prominent than the last name "Fernbach".

KAREN P. FERNBACH
Regional Director

Enclosure

cc: All-City Metal, Inc.
54-35 46th Street
Maspeth, NY 11378

Sheetmetal Workers International Association
Local Union No. 28
Attn: Eric Meslin, Business Representative
195 Mineola Boulevard
Mineola, NY 11501-2524

Sovereign Mechanical Corp.
Attn: Joe Tramontano
307 Seventh Avenue
New York, NY 10001

Sovereign Mechanical Corp.
Attn: Joe Tramontano
125 Park Avenue
New York, NY 10017

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

To: General Counsel
Attn: Office of Appeals
National Labor Relations Board
1015 Half Street SE
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

Case Name(s).

Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

(Signature)